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November 19, 2021

Via Email

Hon. Valerie E. Caproni
United States District Judge
40 Foley Square
New York, New York 10007

Re: *United States v. Bolivar Baez*, 21 Cr. 637 (VEC)

Dear Judge Caproni:

I was appointed to represent Bolivar Baez in the above-referenced matter. I write without objection from the Government to request two modifications to Mr. Baez's bail conditions.

By way of background, on August 19, 2021, Mr. Baez was arraigned on a complaint which charged him with a violation of 21 U.S.C. § 846. At his arraignment, Magistrate Judge Cave fixed Mr. Baez's bail principally in the amount to a \$50,000 PRB to be signed by two financially responsible persons, home detention (with permission to work) with electronic monitoring, travel restricted to the SDNY, EDNY and the District of New Jersey, surrender of travel documents and pretrial supervision. All conditions of bail have been satisfied and Mr. Baez has been compliant with those conditions. The two bail modifications sought herein are as follows:

1. On Thanksgiving Day, Mr. Bolivar Baez would like to spend the afternoon and evening from 3 p.m. to 10 p.m. in the apartment of his mother. Bolivar and his mother live in the same building only on different floors. I have discussed this with pretrial officer Jonathan Lettieri. Pretrial's position is that as a matter of policy it opposes bail modifications which seek modifications for "social" purposes, which this is. However, given that Mr. Baez and his mother live in the same building and

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would like to spend the holiday together, we respectfully submit that this request should be granted. I have communicated with AUSA Kevin Mead regarding this request and advised him of Pretrial's position. AUSA Mead has advised me that the Government does not object to this request.

2. Mr. Baez has been advised by his physician that he exercise 5 days per week. I propose that Mr. Baez be permitted to leave his home from 5 p.m. – 7 p.m. on every day that he goes to the gym and then provide confirmation of his attendance at the gym. I have discussed this with Pretrial officer Lettieri and provided him with a copy of the doctor's letter recommending same and officer Lettieri advised that he has no objection to this modification. I have provided a copy of the doctor's letter to AUSA Mead, who also has advised that he has no objection to this bail modification.

Thank you for the Court's consideration of these requests.

Respectfully submitted,

/s/

John F. Kaley

cc. AUSA Kevin Mead (via email)
Pretrial Services Officer Jonathan Lettieri

Application GRANTED. Mr. Bolivar Baez's bail conditions are modified as follows:

1. On November 25, 2021 -- Thanksgiving Day -- from 3:00 p.m. to 10:00 p.m., Mr. Baez may visit his mother's apartment.
2. Mr. Baez is permitted to go to the gym between 5:00 p.m. and 7:00 p.m. daily, and must provide his Pretrial Officer with confirmation of his attendance for every visit.

SO ORDERED.



11/19/2021

HON. VALERIE CAPRONI
UNITED STATES DISTRICT JUDGE